



April 4, 2003

ENGROSSED

HOUSE BILL No. 1707

DIGEST OF HB 1707 (Updated April 2, 2003 3:32 PM - DI 71)

Citations Affected: IC 20-1; noncode.

Synopsis: Title I paraprofessionals; waivers from federal law. Specifies that the department of education is the agency that: (1) identifies and disseminates to school corporations the criteria that Title I paraprofessionals must meet under federal statutes; and (2) determines the assessment that is required of certain paraprofessionals under federal statutes. Authorizes the department to seek waivers from provisions of the federal "No Child Left Behind" statutes that conflict with Indiana school accountability provisions if the U.S. Department of Education allows states to seek waivers.

Effective: July 1, 2003.

Klinker, Scholer, Austin, Porter

(SENATE SPONSORS — ALTING, SIPES, LUBBERS, ROGERS)

January 21, 2003, read first time and referred to Committee on Education.
February 10, 2003, amended, reported — Do Pass. Recommitted to Committee on Ways and Means.
February 27, 2003, referral to Committee on Ways and Means withdrawn.
March 3, 2003, read second time, ordered engrossed. Engrossed.
March 4, 2003, read third time, passed. Yeas 96, nays 0.

SENATE ACTION

March 13, 2003, read first time and referred to Committee on Education and Career Development.
April 3, 2003, amended, reported favorably — Do Pass.

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EH 1707—LS 7341/DI 109+



April 4, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1707

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-1-1.1-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 11. (a) As used in this section, and for purposes of**
4 **compliance with Title I of the Elementary and Secondary**
5 **Education Act of 2002 (20 U.S.C. 6319 et seq.), "paraprofessional"**
6 **means an employee of a school corporation who provides**
7 **instructional support in a program supported with Title I, Part A**
8 **funds.**

9 (b) The department shall identify and disseminate to school
10 corporations the criteria for meeting paraprofessional
11 requirements under 20 U.S.C. 6319 et seq., including the following
12 requirements:

13 (1) A paraprofessional must have a high school diploma or its
14 equivalent.

15 (2) A paraprofessional must meet the conditions of
16 employment determined by the school corporation.

17 (3) This subdivision applies to a paraprofessional who was

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1 hired after January 8, 2002. In addition to the requirements
2 set forth in subdivisions (1) through (2), at the time the
3 paraprofessional is hired, the paraprofessional must have:

4 (A) completed at least two (2) years of study at an
5 institution of higher education;

6 (B) obtained at least an associate's degree; or

7 (C) met a rigorous standard of quality and demonstrated
8 knowledge of and the ability to assist in instructing in the
9 academic areas of reading, writing, and mathematics
10 through a formal academic assessment determined by the
11 department in consultation with the professional standards
12 board.

13 (4) This subdivision applies to a paraprofessional who was
14 hired before January 9, 2002. The paraprofessional must meet
15 the requirements of subdivision (3) before January 9, 2006.

16 (c) A school corporation:

17 (1) shall use federal funds to support ongoing training and
18 professional development to meet the requirements of this
19 section; and

20 (2) may use federal funds for the payment of fees for the
21 assessments required under this section.

22 SECTION 2. [EFFECTIVE JULY 1, 2003] (a) Because the general
23 assembly has determined that:

24 (1) the provisions of P.L.221-1999 are a comprehensive and
25 thorough education reform plan that set high academic
26 standards in a manner uniquely tailored for Indiana; and

27 (2) certain provisions of the federal Elementary and
28 Secondary Education Act of 2002 may overlap with
29 P.L.221-1999 in a manner that causes an unnecessary amount
30 of bureaucracy and administrative confusion;

31 if the United States Department of Education authorizes states to
32 seek waivers from provisions of the federal Elementary and
33 Secondary Education Act of 2002, the Indiana department of
34 education may, after consulting with the state board of education
35 and the education roundtable, seek waivers for those provisions of
36 the federal Elementary and Secondary Education Act of 2002 that
37 conflict with P.L.221-1999.

38 (b) This SECTION expires June 30, 2008.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1707, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 2, after "2." insert **"(a) As used in this section, "paraprofessional" does not include an individual who is licensed or regulated by the health professions bureau.**

(b)".

and when so amended that said bill do pass.

(Reference is to HB 1707 as introduced.)

PORTER, Chair

Committee Vote: yeas 13, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1707, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 1, delete "IC 20-1-1.4-2 IS AMENDED" and insert "IC 20-1-1.1-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION".

Page 1, line 2, delete "Sec. 2. (a) As used in this" and insert "**Sec. 11. (a) As used in this section, and for purposes of compliance with Title I of the Elementary and Secondary Education Act of 2002 (20 U.S.C. 6319 et seq.), "paraprofessional" means an employee of a school corporation who provides instructional support in a program supported with Title I, Part A funds.**

(b) The department shall identify and disseminate to school corporations the criteria for meeting paraprofessional requirements under 20 U.S.C. 6319 et seq., including the following requirements:

(1) A paraprofessional must have a high school diploma or its equivalent.

(2) A paraprofessional must meet the conditions of employment determined by the school corporation.

(3) This subdivision applies to a paraprofessional who was hired after January 8, 2002. In addition to the requirements set forth in subdivisions (1) through (2), at the time the paraprofessional is hired, the paraprofessional must have:

(A) completed at least two (2) years of study at an institution of higher education;

(B) obtained at least an associate's degree; or

(C) met a rigorous standard of quality and demonstrated knowledge of and the ability to assist in instructing in the academic areas of reading, writing, and mathematics through a formal academic assessment determined by the department in consultation with the professional standards board.

(4) This subdivision applies to a paraprofessional who was hired before January 9, 2002. The paraprofessional must meet the requirements of subdivision (3) before January 9, 2006.

(c) A school corporation:

(1) shall use federal funds to support ongoing training and professional development to meet the requirements of this

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section; and

(2) may use federal funds for the payment of fees for the assessments required under this section.

SECTION 2. [EFFECTIVE JULY 1, 2003] (a) Because the general assembly has determined that:

(1) the provisions of P.L.221-1999 are a comprehensive and thorough education reform plan that set high academic standards in a manner uniquely tailored for Indiana; and

(2) certain provisions of the federal Elementary and Secondary Education Act of 2002 may overlap with P.L.221-1999 in a manner that causes an unnecessary amount of bureaucracy and administrative confusion;

if the United States Department of Education authorizes states to seek waivers from provisions of the federal Elementary and Secondary Education Act of 2002, the Indiana department of education may, after consulting with the state board of education and the education roundtable, seek waivers for those provisions of the federal Elementary and Secondary Education Act of 2002 that conflict with P.L.221-1999.

(b) This SECTION expires June 30, 2008."

Page 1, delete lines 3 through 10.

and when so amended that said bill do pass.

(Reference is to HB 1707 as printed February 28, 2003.)

KENLEY, Chairperson

Committee Vote: Yeas 6, Nays 3.

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